

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 SERGIO MOMOX-CASELIS, *et al.*,

Case No. 2:16-cv-00054-APG-GWF

5 Plaintiffs,

ORDER

6 v.

(ECF No. 50)

7 MAIRA JUAREZ-PAEZ, *et al.*,

8 Defendants.

9
10 The plaintiffs move to have a prior order dismissing defendant Maira Juarez-Perez set
11 aside. The clerk of court issued a Rule 4(m) notice of intent to dismiss for lack of proof of
12 service. ECF No. 38. In response, the plaintiffs filed proof of service by publication. ECF No. 39.
13 I nevertheless dismissed Juarez-Perez. ECF No. 47.

14 That dismissal was error. The plaintiffs had been granted leave to serve Juarez-Perez by
15 publication. ECF No. 22. The plaintiffs filed proof of service as directed. ECF No. 39. I
16 therefore will grant the plaintiffs' motion to set aside my dismissal order.

17 IT IS THEREFORE ORDERED that the plaintiffs' motion to set aside (ECF No. 50) is
18 **GRANTED.**

19 IT IS FURTHER ORDERED that my October 25, 2016 order (ECF No. 47) is
20 **VACATED.**

21 DATED this 2nd day of December, 2016.

22 

23 ANDREW P. GORDON
24 UNITED STATES DISTRICT JUDGE
25
26
27
28